

**MINUTES OF THE  
EDUCATION INTERIM COMMITTEE**

Wednesday, January 16, 2002 – 9:00 a.m. – Room 303 State Capitol

**Members Present:**

Sen. Howard Stephenson, Senate Chair  
Rep. Marda Dillree, House Chair  
Sen. D. Chris Buttars  
Sen. Karen Hale  
Sen. David H. Steele  
Sen. Alicia L. Suazo  
Sen. Michael G. Waddoups  
Sen. Bill Wright  
Rep. Afton B. Bradshaw  
Rep. Judy Ann Buffmire  
Rep. Margaret Dayton  
Rep. James A. Ferrin  
Rep. James R. Gowans  
Rep. Bradley T. Johnson

Rep. Merlynn T. Newbold  
Rep. Loraine T. Pace  
Rep. J. Morgan Philpot  
Rep. LaWanna Shurtliff  
Rep. Matt Throckmorton  
Rep. A. Lamont Tyler

**Members Absent:**

Rep. Jeff Alexander  
Rep. Duane E. Bordeaux

**Staff Present:**

Ms. Constance C. Steffen, Research Analyst  
Ms. Sandra Maeser, Senate Secretary

**Note:** A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or contact the Office of Legislative Research and General Counsel.

Chair Dillree called the meeting to order at 9:12 a.m.

**S.J.R. 2 Resolution on Investment of State School Fund and Uniform School Fund** (L. Hillyard)

Sen. Hillyard explained the resolution modifies the distribution of interest and dividends from the State School Fund to the Uniform School Fund. Mr. Melvin Brown presented the historical background of the bill.

**MOTION:** Sen. Steele moved to amend the bill as follows:

1. Page 1, Line 9: After "resolution" delete the remainder of line 9
2. Page 1, Line 10: At the beginning of line 10 delete "invested in equities and"
3. Page 2, Line 33: After "(2)" reinstate "The" and after "(a)" delete "(i) Subject to Subsection (2)(a)(ii), the"
4. Page 2, Line 35: Delete line 35
5. Page 2, Line 50: After "State School Fund" bracket the remainder of line 50
6. Page 2, Line 51: Bracket line 51

The motion passed unanimously with Sen. Stephenson, Rep. Alexander and Rep. Bordeaux absent for the vote.

The following spoke in support of the bill:  
Mr. Steve Peterson, Utah School Superintendents Association  
Ms. Susan Kuziak, Utah Education Association  
Ms. JoAnn Nielsen, Utah Education Coalition

**MOTION:** Rep. Gowans moved to recommend the bill as amended be sent to a standing committee. The motion passed unanimously with Sen. Waddoups, Rep. Alexander, and Rep. Bordeaux absent for the vote.

Sen. Stephenson assumed the chair.

**H.B. 213 Classroom Amplification** (D. Hogue)

Rep. Hogue said the bill requests the state superintendent of public instruction to make a report on the use of classroom amplification devices in Utah schools.

The following spoke in support of the bill:  
Ms. Robyn Levesque, parent  
Ms. Claudia Anderson  
Ms. Wendy Bromley, Jordan Education Association

The following spoke in opposition to the bill:  
Ms. Helen Watts, orchestra teacher, Davis School District  
Ms. Lisa Appleby, student, Bountiful High School

**H.J.R. 15 Resolution Promoting Financial Literacy for Utah Students** (D. Hogue)

Rep. Hogue explained the resolution was prompted by Utah's high bankruptcy rate.

Ms. Patty Rowse, Utah School Superintendents Association, said the association supports the concept but doesn't think the resolution is necessary.

**MOTION:** Rep. Tyler moved to pass the bill out favorably. The motion passed with Sen. Buttars, Sen. Waddoups, Rep. Ferrin, Rep. Philpot, and Rep. Dayton voting in opposition. Sen. Wright, Sen. Suazo, Rep. Alexander, Rep. Bordeaux, and Rep. Throckmorton were absent for the vote.

**H.B. 76 Process for Creation of New School Districts** (D. Cox)

Rep. Cox said the bill creates a process for determining whether a new school district should be created and how it should be created.

**MOTION:** Rep. Dillree moved to amend the bill as follows:

1. Page 3, Lines 61-67: Delete lines 61-67 and insert the following:

"(d) If the proposal is approved under Subsection (4)(b), the county legislative body shall submit the proposal to the county clerk to be voted on in accordance with Title 20A, Election Code, at the next general election, beginning with the general election held in the year 2004.

(e) Creation of the new school district shall occur if a majority of the electors within the existing school district voting on the proposal favor the creation of the new district."

The motion passed unanimously with Sen. Buttars, Sen. Wright, Rep. Alexander, Rep. Bordeaux and Rep. Throckmorton absent for the vote.

The following spoke in opposition to the bill:

Ms. Karen Derrick, representing the Utah School Boards Association and Utah State Superintendents Association

Ms. Sarah Meier, Board Member, Granite School District

Ms. Gayle Ruzicka, Eagle Forum, spoke in support of the bill.

Ms. Marilyn Koferd, Alpine School Board, explained the reason for boundary changes in Alpine School District.

Ms. Marian Gardner, PTA, explained the PTA has not yet considered the bill.

**H.B. 222 School and School District Size Task Force** (D. Cox)

Rep. Cox explained the bill creates a legislative task force to study school and school district size.

Ms. Sarah Meier, representing the Utah School Boards Association and Utah School Superintendents Association, spoke in opposition to the bill.

**HB0240 Public Education Capital Outlay Act Amendments** (D. Cox)

Rep. Cox said the bill would result in an increase in the capital outlay appropriation over time.

**H.B. 200 Nutritional Food in Schools** (P. Jones)

Rep. Jones requested the bill be held to make some changes to the bill.

Mr. Pat O'Hara, State Board of Education, explained the State Board does not account for school district revenue from vending machines, because it is not state revenue.

Ms. Karen Derrick, representing the Utah School Boards Association and Utah School Superintendents Association, spoke in opposition to the bill.

**H.B. 228 Public Education Vending Contracts** (P. Jones)

Rep. Jones said the bill requires local school boards to collect data and make an annual report on vending machine contracts.

Ms. Marilyn Koferd, Alpine School Board member, and Ms. Karen Derrick, Salt Lake School Board, explained authority is given to school community councils to decide what is sold in school vending machines.

Ms. Karen Derrick, representing the Utah School Boards Association and Utah School Superintendents Association, spoke in opposition to the bill.

Ms. Carolyn Wright, PTA, spoke in support of the bill.

Mr. Steve Peterson, Utah School Superintendents Association, said information regarding a school's vending machine contracts is public information.

Ms. Carol Lear, Attorney, Utah State Office of Education, said revenue from vending machines sometimes pays for basic costs of a school.

**MOTION:** Rep. Johnson moved to send a letter to school districts expressing concern with non-nutritional food sold in vending machines but supporting local decision making.

**SUBSTITUTE MOTION:** Rep. Philpot moved to return the bill to the Rules Committee. The motion failed with Rep. Ferrin, Rep. Newbold, Rep. Pace, and Rep. Philpot voting in favor and Rep. Dillree, Sen. Steele, Sen. Wright, Rep. Alexander, Rep. Bordeaux, Rep. Dayton, and Rep. Tyler absent for the vote.

**SUBSTITUTE MOTION:** Rep. Ferrin moved to direct staff to prepare a letter regarding vending machine contracts and local control.

**MOTION:** Sen. Waddoups moved to adjourn. The motion passed with Rep. Buffmire voting in opposition, and Rep. Dillree, Sen. Steele, Sen. Wright, Rep. Alexander, Rep. Bordeaux, Rep. Dayton, and Rep. Tyler absent for the vote.

Committee Chair Stephenson adjourned the meeting at 12:05 p.m.

Minutes reported by Sandra Maeser, Secretary